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### REMARKS

Applicant wishes to thank the Examiner for the detailed remarks, allowance of claims 24 and 25 and the allowability of claims 12-14, 19 and 20. Accordingly, claims 1, 3-6, 8-11, 15-18 and 26-33 are pending.

Claims 26-29 were rejected under 35 U.S.C. §112 first paragraph. Applicant respectfully submits that the claims are in proper condition according to §112. The Examiner rejects the claims in a generic manner by only stating that "the subject matter is not specifically discussed in the originally filed specification. However, the specification does specifically recite:

[35] Referring to Figure 2A, 2B, 2C and 2D, the leaf spring 22 includes a mounting segment 48 which engages the axle beam attachment system 30 (Figure 1) to provide an infinitely adjustable mounting location for infinite positioning of the axle beam 14 location setbacks to accommodate a multiple of vehicles. That is, the axle beam 14 may be located anywhere along the mounting segment 48 to provide a desired axle beam 14 setback.

[36] The mounting segment 48 provides a tapered width (Figure 2B) combined with an expanding depth. That is, within the mounting segment 48, the width is consistently decreasing as the depth is consistently increasing. Any position along the longitudinal length of the mounting segment 48 thereby provides a unique cross-sectional shape (49; Figure 2C) taken parallel to the axle beam 14. That is, any longitudinal position provides a unique combination of leaf spring width and leaf spring depth as illustrated by the different cross-sectional shapes illustrated in Figure 2C and 2D. Preferably, a cross-section parallel to the axle beam 14 taken anywhere along the mounting segment 48 will provide a constant area of the cross-sectional shape 49.

The above paragraphs taken in context with the remainder of the specification and drawings properly conveys possession of the claimed invention. Any such skilled person is enabled to make and use the invention following the teaching within the specification of the presented invention. The claims are proper.

Claims 1, 3-6, 8, 9, 11 and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by *Duchemin* (3,945,625.) Applicant respectfully traverses this rejection. *Duchemin* fails to

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disclose a *composite* leaf spring. *Duchemin* fails to even mention the word "composite." The Examiner suggests that the spring of *Duchemin* is "a laminated spring" presumably as support for *Duchemin* being of a composite material. This is a mischaracterization of *Duchemin*, which states, "The leaf or lamination of a spring shown in FIGS. 1 and 2 comprises a tubular element 1". [Col. 1, lines 54-55]. A leaf spring is formed from a multiple of leafs or laminations. *Duchemin* is only noting that the tubular element 1 may be a single "leaf" or "lamination" of a leaf spring. The Examiner's assertion that *Duchemin* is referring to a composite material cannot be sustained as a just interpretation. In fact, *Duchemin* discloses:

Likewise, instead of being constructed from a closed tube, *the tubular leaf or lamination* could be made from a split tube or a strip or sheet of *metal* which is bent or coiled onto itself and whose edges are welded or merely brought together, the weld line or the longitudinal split between the brought-together edges being placed on the side of the spring which is intended to be subjected to compressive stress.

[col. 2, lines 33-40; emphasis added]

Such manufacture is completely inapplicable to a composite spring. No composite leaf spring is disclosed or suggested by *Duchemin*. The claims are properly allowable.

Claims 17 and 18 were rejected under 35 U.S.C. §102(b) as being anticipated by *McGee* (3580347.) Applicant respectfully traverses this rejection. *McGee* fails to disclose a forward leaf spring segment thicker in depth than said rearward leaf spring segment as recited in the amended claims. The Examiner interprets forward segment (at 37) and rearward segment (interpreted as the tip 40) such that the forward segment is thicker in depth than the rearward segment. *McGee* completely fails to teach such a difference in depth. *McGee* does not even mention relative depth or thickness between these areas. Furthermore, Claim 17 recites that the forward leaf spring segment defines an arcuate segment. As such, Applicant respectfully disagrees with the interpretation that 37 is the forward segment while tip 40 can be the rearward segment. To correspond with rearward tip 40, forward tip 34 -- which, at least, includes an arcuate segment -- is the segment which should be properly interpreted as the forward segment. The Examiner's interpretation cannot be sustained and the claims are properly allowable.


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Claims 10, 16, 17, 32 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Duchemin* in view of *McGee*. Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *Duchemin* in view of *McGee* as proposed. The Examiner admits that *Duchemin* fails to illustrate the use of a bracket for mounting a leaf spring. *Duchemin* discloses a hollow tubular leaf spring. *McGee* discloses a pair of leaf springs which are mounted together at a center portion 26 with a nut and bolt assembly 32 which passes through the leaf spring. [See Figure 2] It is improper to modify the base reference in such a way that it ruins the goal or function of the base reference. The Examiner's proposed modification would do so by destroying the integrity of *Duchemin*'s hollow tubular leaf spring. The claims are properly allowable for this reason alone.

Even if the combination were properly made, there are differences between the claimed invention and the teachings of the cited references so that the combination does not meet the limitations of Applicant's claims. As described above, *Duchemin* fails to disclose a composite leaf spring as recited in Claim 17.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,  
**CARLSON, GASKEY & OLDS, P.C.**



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Dated: January 5, 2005

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